

Exhibit 4

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4
5
6 -----x

7 STEVEN E. GREER, M.D.,
8 Plaintiff,

9 vs.

10 DENNIS MEHIEL, et al.,
11 Defendants.

12 -----x
13
14
15
16 DEPOSITION OF DENNIS MEHIEL

17 New York, New York

18 Monday, April 3, 2017

19
20
21
22
23
24 Reported by: David Henry

25 JOB NO. 122008

1
2
3
4 April 3, 2017
5 2:50 p.m.
6
7
8 Deposition of DENNIS MEHIEL, held
9 at the Federal Courthouse, 500 Pearl
10 Street, New York, New York, pursuant to
11 Notice, before David Henry, a Certified
12 Court Reporter and Notary Public of the
13 State of New York.
14
15
16
17
18
19
20
21
22
23
24
25

1

2 A P P E A R A N C E S:

3

4 The Plaintiff Steven Greer, M.D.
5 appeared pro se

6

7 SHER TREMONTE
8 Attorneys for Defendant Battery Park
9 City Authority
10 90 Broad Street
11 New York, New York 10004
12 BY: MICHAEL TREMONTE, ESQ.
13 AND: MICHAEL GIBALDI, ESQ.

14

15 ROSENBERG & ESTIS
16 Attorneys for all Defendants other
17 than Battery Park City Authority and
18 Defendant Serpico
19 733 Third Avenue
20 New York, New York 10017
21 BY: DEBORAH RIEGEL, ESQ.

22

23 ALSO PRESENT:

24 ABBY GOLDENBERG, ESQ.
25 Battery Park City Authority

1 Mehiel

2 A. No. I don't read the
3 BatteryPark.TV.

4 MR. TREMONTE: Focus on the
5 question.

6 Q. Were you aware -- and I just have
7 one or two more, so relax. I just have to
8 be thorough. I've got to go down all of
9 them.

16 A. No. I need to correct my answer
17 ever so slightly, okay? And I'm going to
18 say this in response to this entire series
19 of questions. From time to time someone on
20 my staff would send me an email, yack yack.
21 I'm going to tell you that 99.9 percent of
22 the time I do not open the attachment, I do
23 not read it, I have no interest in it. So
24 I'm not suggesting by my answers these
25 things didn't occur, I'm simply stating my

1 Mehiel

2 Q. Okay, very good. That's what I'm
3 getting to.

4 MR. TREMONT: Objection.

5 That 's not a question.

6 A. By the way, I can't remember
7 whether that discussion was with staff or
8 with the members. But I know that we had
9 those conversations because --

10 0. And what would be the reason --

11 MR. TREMONT: Excuse me, let
12 the witness finish.

13 Q. And what would be the reason for
14 barring me from a public meeting?

15 A. Your behavior during the public
16 meeting.

17 Q. Such as?

18 A. Such as refusing to leave the
19 room when we went to executive session and
20 having our chief of staff tell you that he
21 was going to have to call security to evict
22 you if you didn't leave.

23 Q. Okay, was that a public meeting?

24 A. It was public until it was
25 executive session, which is non-public.

10 MR. TREMONT: Objection.

11 A. No.

12 Q. Okay. Some of those emails might
13 have had your name on it, you're not aware?

16 Q. Okay, did you or anyone you know
17 of at the BPCA alert Brookfield Properties
18 or the NYPD warning them that Steven Greer,
19 however you referred to me, was basically a
20 scary threat that shouldn't be let in for
21 security purposes?

22 MR. TREMONT: Objection.

23 A. Repeat the question.

24 Q. Did you or anyone at the BPCA
25 that you are aware of notify Brookfield

8 MR. TREMONT: Objection.

9 A. I instructed the chief of staff
10 to engage Brookfield Security when we had
11 public meetings to be certain that you
12 didn't enter the premises, at least not up
13 to the 24th floor.

14 Q. Okay. Did you also -- now we're
15 talking about the meeting of June 8, 2016.
16 That's where I attended. Do you recall
17 that?

18 MR. TREMONTE: Objection.

19 A. June of 2016? A public meeting
20 you came to, is that the one where Kevin
21 asked you to leave?

22 Q. No, no, this would be --

23 A. Because that's like a year later.

24 Q. Yeah, no, this would be the first
25 meeting that I had attended for more than a

1 Mehiel

2 A. I don't remember whether we had
3 it then. I will concur that it was
4 crowded.

5 Q. And then subsequent to that when
6 there were no crowds for other board
7 meetings, that's when I was given the
8 excuse that I couldn't enter, but you're
9 welcome to watch it on a video overflow
10 room down on West Thames. Are you aware of
11 that?

12 MR. TREMONTE: Objection.

13 A. I am aware that I barred you from
14 the meetings during that period. I'm not
15 sure it had anything to do with crowds.

16 Q. Okay, alright. During board
17 meetings, it's -- either your previous law
18 firm or -- it's been discussed in briefs
19 that the BPCA board meetings officially are
20 not venues for taking questions from the
21 public or the press. Is that a fair
22 characterization? Is that fair? Is that
23 accurate?

24 MR. TREMONT: Objection.

25 A. We don't engage in public

9 Q. So even now, even with the public
10 comment sessions now, the BPCA is not
11 officially fielding questions, is that
12 correct?

13 MR. TREMONT: Objection.

14 A. That is correct.

15 Q. Have you ever fielded, answered
16 questions from the press or others during
17 board meetings in 2014, 2015?

18 MR. TREMONTE: Objection.

19 A. On occasion after a meeting is
20 over, a reporter has asked me a question or
21 two and I've answered it. It's not common,
22 but it happens, and when it does I try to
23 respond.

24 Q. After President Boutris left,
25 it's the February 22, 2014 board meeting,

1 Mehiel

2 MR. TREMONT: Objection.

3 A. Not to my knowledge.

4 Q. If you wanted to, is there any
5 structure, law, regulation, in the bylaws
6 of the creation of the BPCA, do you have
7 any power to make a difference in the lease
8 agreement between a renter and a company
9 owner like Howard Milstein, could you as
10 the BPCA bypass someone like Howard
11 Milstein's organization and directly impact
12 whether a lease is renewed or not renewed?

13 MR. TREMONTE: Objection.

14 A. If I understand the question --

18 A. No, because I want to put it in
19 my language and see if I'm answering the
20 right question. okay?

21 You're asking me if our ground
22 lease arrangements with an owner and
23 operator of a rental property would allow
24 us to direct or otherwise substantially
25 influence their individual renter tenant

1 Mehiel

2 decisions.

3 Q. **Correct.**

4 A. I mean, to my knowledge
5 absolutely not. You know, these ground
6 leases are this thick. As far as I know,
7 the answer is no.

8 Q. Very good. And I've just got to
9 ask the obvious one. To your knowledge,
10 did Robert Serpico or Sherry Hyman or
11 anyone collude, I think is the best word,
12 organize, work with, Steve Rossi or anyone
13 in the real estate companies of Howard
14 Milstein? Did anyone from the Battery Park
15 City Authority work with Steve Rossi or any
16 other executive of Howard Milstein's group
17 to have my personal lease at 200 Rector
18 Place not renewed?

19 MR. TREMONTE: Objection.

20 A. Not to my knowledge.

21 Q. While we're on it, do you know
22 how Howard Milstein?

23 A. T. do,

24 Q. And does someone like Howard
25 Milstein or LeFrak, a large real estate